

**RECORD OF PROCEEDINGS
OF THE GOVERNING BODY
CITY OF GARDNER, KANSAS**

Page No. 2006 – 028

May 15, 2006

The City Council of the City of Gardner, Kansas, met in regular session on Monday, May 15, 2006, at 7:00 p.m. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with the Honorable Mayor, Carol Lehman presiding. Present were Councilmembers Breen, Peters, Drovetta, and Raney with Councilmember Weisenburger being absent. City Staff present were City Administrator Fairburn, Assistant Administrator Mundt, Finance Director Gourley, Public Works Director Greene, Public Safety Director Francis, HR Director/City Clerk Scott, Parks and Recreation Director Stewart, Community Development Director Sherman, and City Attorney Hubbard. Others present included those listed on the attached sign in sheet as well as others who did not sign in.

CALL TO ORDER

There being a quorum of Councilmembers present, the meeting was called to order by Mayor Lehman at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Councilmember Drovetta led those in attendance in the pledge of allegiance.

PROCLAMATION – PUBLIC WORKS WEEK

Councilmembers joined with the Mayor in proclaiming the week of May 21 – 27, 2006 as National Public Works Week.

“ABOVE AND BEYOND” AWARD

Councilmembers joined with the Mayor and Public Safety Director Francis in formally accepting the 2006 “Above and Beyond” Award from Mr. Fred Starrett, a representative from the Kansas committee of the Employer Support of the Guard and Reserve (ESGR).

SERVICE AWARD

Councilmembers joined with the Mayor in recognizing Tige Dean, Public Safety Officer, for five (5) years of service to the City of Gardner.

PUBLIC COMMENTS – INTERMODAL PROJECT OPPOSITION

Claud Hobby, 30260 West 199th Street, Gardner, on behalf of Citizens for Responsible Development, Judith Rogers, 832 South Juniper Terrace, Gardner, Richard Welbey, 724 Meadowbrook, Gardner, David VanHook, 215 West Cheyenne, Gardner, Dorine Graceffa, 420 West Acorn, and Carol Beck, 19902 Pepper Tree Lane, Edgerton, spoke in opposition to the proposed BNSF intermodal project. Robert Page, 249 West Park, Gardner, spoke in support of considering annexation of the project area.

CONSENT AGENDA

Councilmember Drovetta made a motion to approve the following items listed on the consent agenda:

1. Standing approval of the minutes as written for the regular meeting on May 1, 2006.
2. Standing approval of the expenditures prepared on April 28 and May 2, 2006 in the amount of \$587,308.16 and April prepaids prepared on May 2, 2006 in the amount of \$1,352.24.
3. Consider the Acceptance of Easements and Rights-of-Way for the Final Plat for Cottage Park West, 9th Plat; FP-06-06.
4. Consider the Acceptance of Easements and Rights-of-Way for the Final Plat for Cottage Park West, 10th Plat; FP-06-07.
5. Consider the Acceptance of Easements and Rights-of-Way for the Final Plat for New Century Business Center Addition No. 2; FP-06-08.

Councilmember Peters seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

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LOGISTICS PARK AND INTERMODEL FACILITY

Councilmembers discussed alternatives for Logistics Park Committee and City Council meetings schedule.

Councilmember Raney made a motion to maintain the current schedule for the review committee and to have the City Council meet at the earliest possible date, not more than two weeks from tonight's meeting, for a special work session to discuss the City's options for saying "no" to the BNSF logistics park and intermodal facility project and to obtain a consensus as to whether to try to do that or to proceed with the process. Councilmember Breen seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

GENERAL OBLIGATION BONDS

Councilmember Drovetta made a motion to consider an ordinance authorizing the issuance and delivery of \$10,695,000 principal amount of General Obligation bonds, Series 2006A, of the City of Gardner, Kansas; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due. Councilmember Breen seconded the motion.

On a roll call the vote was: Drovetta, yes; Breen, yes; Peters, yes; and Raney, yes. All of the members present voting in favor of the motion, the ordinance was passed and assigned No. 2196.

GENERAL OBLIGATION BONDS

Councilmember Drovetta made a motion to adopt a resolution prescribing the form and details of an authorizing the delivery of \$10,695,000 principal amount of General Obligation bonds, Series 2006A, of the City of Gardner, Kansas, previously authorized by Ordinance No 2196 of the City. Councilmember Breen seconded the motion.

On a roll call the vote was: Drovetta, yes; Breen, yes; Raney, yes; and Peters, yes. All of the members present voting in favor of the motion, the resolution was adopted and assigned No. 1704.

GENERAL OBLIGATION TEMPORARY NOTES

Councilmember Breen made a motion to adopt a resolution authorizing the issuance and delivery of \$4,435,000 principal amount of General Obligation temporary notes, Series 2006B, of the City of Gardner, Kansas, for the purpose of temporarily financing the cost of certain internal improvements of the city. Councilmember Peters seconded the motion.

On a roll call the vote was: Breen, yes; Peters, yes; Drovetta, yes; and Raney, yes. All of the members present voting in favor of the motion, the resolution was adopted and assigned No. 1705.

PUBLIC HEARING – 2007 CDBG APPLICATION

Mayor Lehman opened a public hearing for the purpose of soliciting citizen comments on the proposed 2007 Community Development Block Grant Application.

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PUBLIC HEARING – 2007 CDBG APPLICATION (Continued)

Public Works Director Greene provided information on the ADA curb replacement project being proposed for the 2007 CDBG application.

Robert Page, 249 West Park, Gardner, asked that consideration be given to including constructing sidewalks in the east part of town, in the vicinity of Wheatridge Middle School for next year's application.

Judith Rogers, 832 South Juniper Terrace, Gardner, asked that consideration be given to constructing a sidewalk on 183rd Street from Center to Moonlight.

Councilmember Breen made a motion to close the public hearing. Councilmember Peters seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

2007 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Councilmember Peters made a motion to authorize the Mayor to execute the 2007 Community Development Block Grant Application for an Americans with Disabilities Act sidewalk curb ramp replacement project. Councilmember Raney seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

NORTHSIDE LIFT STATION PROJECT

Councilmember Raney made a motion to authorize the City Administrator to execute the Supplement #3 to the contract with George Butler Associates, Inc. for construction administration services for the Northside Lift Station Project in an amount not to exceed \$53,000.00. Councilmember Peters seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

2006/2007 MARCIT PREMIUMS

Councilmember Drovetta made a motion to approve the MARCIT health and dental premiums for the 2006-2007 plan year and establish the City's share of the premiums at \$265 for employee (single) coverage, \$569 for employee plus spouse OR children coverage (2nd Tier), and \$616 for employee plus spouse and children (family) coverage. Councilmember Raney seconded the motion.

All of the members present voting in favor of the motion, the motion carried.

There being no further business to come before the Council, on a motion duly made and seconded, the meeting adjourned at 9:17 p.m.

Gwen Scott, HR Director / City Clerk